

Suppl 25. a

A

R E P O R T

FROM THE

COMMITTEE

APPOINTED TO

ENQUIRE

Into the State of the GOALS of
this Kingdom:

Relating to the MARSHALSEA Prison; And far-
ther Relating to the FLEET Prison.

WITH THE

Resolution of the HOUSE of COMMONS thereupon.



L O N D O N :

Printed for Robert Knaplock, Jacob Tonson, John Pemberton,
and Richard Williamson. MDCCXXIX.

REPORT

FROM THE

Mercurii 14 die Maii, 1729.

BY Vertue of an Order of the House of Commons, this Day made, I do appoint *Robert Knaplock, Jacob Tonson, John Pemberton, and Richard Williamson*, to Print this *Report*; And that no other Person presume to Print the same.

AR. ONSLOW, Speaker.

...of the Order of this
...Day of February, 1728) to en-
...of this Kingdom, Ad-
...of the Court of the Marshalls and of
...at several
...that Prison, have made
...have thought fit to lay

...of the Marshalls
...of the King's Hou-
...of the King's Palace at Westminster
...of the Court of the Marshalls and of

A
R E P O R T
 FROM THE
C O M M I T T E E.

Appointed to enquire into the State of the
GOALS of this Kingdom.

Mercurii 14 die Maii, 1729.

MR. Ogletborpe, from the Committee appointed to enquire into the State of the Goals of this Kingdom, made a Report of some Progress which the Committee had made in their Enquiry into the State of the Prison of the Court of Marshalsea, and of the King's Palace Court of Westminster; AND ALSO of a further Progress which the Committee had made in their Enquiry into the State of the Fleet Prison; with the Resolutions of the Committee thereupon; and he read the Report in his Place, and afterwards delivered the same (with the Appendixes) in at the Table, where the Report was read, and is as follows, viz.

The COMMITTEE having, in pursuance of the Order of this House (of the Twenty Fifth Day of February, 1728) to enquire into the State of the Goals of this Kingdom, Adjourned to the Prison of the Court of the Marshalsea and of the King's Palace Court of Westminster, and at several Times examined into the State of that Prison, have made some Progress therein, which they have thought fit to lay before the House.

IT appeared to the Committee, That the Prison of the Marshalsea doth belong to the Court of the Marshalsea of the King's Household and to the Court of Record of the King's Palace of Westminster: And that the Person who hath the Care of the Prison and Custody

body of the *Marshalsea*, is styled Deputy Marshal of the *Marshalsea* of the King's Household and Keeper of the Prison of the same Court, and of the Prison of the Court of Record of the King's Palace of *Westminster*, and is appointed by the Knight Marshal for the time being.

That Sir *Philip Meadows*, then Knight Marshal of the King's Household, did by Deed Poll, given under his Hand and Seal the 25th of November 1720, constitute *John Darby* Gent. Deputy Marshal of the *Marshalsea* of the King's Household, and Keeper of the Prisons aforesaid, during the term of his natural Life.

And the said Knight Marshal by Articles of Agreement indented bearing even Date with the said last mentioned Deed Poll, declares the Conditions under which the said *John Darby* is to enjoy the said Offices, and among others, that if the said *John Darby*, without the Knight Marshal's Consent in Writing, shall at any Time let to Farm the said Offices, or any of the Fees, Profits, Advantages, or Benefits thereof, the said Grant shall cease, determine, and be void.

That *John Darby*, contrary to the said Conditions, hath let the Profits of the said Offices without Consent of the said Knight Marshal, and by Indenture of Lease bearing Date the 21st Day of March 1727, did grant and to Farm let to *William Alton* Butcher the *Marshalsea-Prison* for 140*l.* per Annum, and by the same Lease did let the Benefit of the Lodging of the Prisoners, and other Advantages, for the further Yearly Rent of 260*l.* to be paid to him clear of all Taxes, for the Term of Seven Years.

That to make the Profits of the Prison arise to answer the said exorbitant Rents, no kind of Artifice or Oppression hath been unpractised.

It appears upon the Examination of many Witnesses, that on the Entry of Prisoners into the said Prison, Money has been extorted from them for obtaining the Liberty of going to the Masters Side, tho' the said *Darby* himself acknowledged he had no Right to any Fees till the Prisoner was discharged; and in order to create a greater Profit by vending Liquors and Food, the Servants of the Keeper have obstructed the bringing in necessary Liquors and Provisions, contrary to the express Words of the Act of Parliament of the Twenty-Second and Twenty-Third Year of King *Charles II.* And have often, under the pretence of searching for Liquors, treated very rudely and indecently Women who came to Relieve and Support their Husbands labouring under the Hardships and Necessities of the Goal: And they raise the Price of Liquors, and other Necessaries, insomuch that the necessitous Prisoner is obliged to pay Three-pence per Quart for worse Beer than he can buy out of the Prison for Two-pence Half-penny; and they have also encouraged a Practice among the Prisoners, of forcing those newly Committed to pay Garnish, and of levying Fines upon each other under frivolous Pretences, the Money arising from which is to be spent at the Tap-House, so that he who is most active in exacting it is favoured as the greatest Friend to the House. This method of levying Garnish-Money and Fines is so publickly allowed, that there are Tables hung up in each Room of the stated Garnish Fees, some of which amount to 7*s.* 6*d.* some to more; and if the unhappy Wretch (which is the general Case) hath not Money to pay them, the Prisoners strip him in a Riotous manner, which in their Cant Phrase they call, *Letting the black Dog walk.*

This shews the Inconveniency of the Keepers having the Advantage of the Tap-House, since to advance the Rent thereof, and to consume the Liquors there vended, they not only encourage Riot and Drunkenness, but also prevent the Needy Prisoner from being supplied by his Friends with the meer Necessaries of Life, in order to encrease an exorbitant Gain to their Tenants.

And

And these Extortions, tho' small in the Particulars, are very heavy upon the unhappy Prisoners, many of whom are so poor as to be committed for a Debt of One Shilling only; for by the Usage of the said Court of Record, Processess are issued for the smallest Sums; and tho' the Cause of Action is but One Penny, a Process is issued, the Process is returned, and the Proceedings are carry'd on, till such time as the Costs amount to above 40s. and thereupon the Debtor is thrown into Prison, and by adding the Costs to the Debt the late Act of Parliament against frivolous and vexatious Arrests is eluded; nor is it probable, that he can be from thence Released, for if he was incapable before to pay the Cause of Action, he must be much more so, when the Costs are added thereto; and if his Creditor then relents, he is detained for the Goaler's Fees and Costs of Suit, infinitely greater than the Original Debt.

It appeared to the Committee that there was no List of Fees publicly hung up in any part of the Prison, tho' required by Law, as to which the said *John Darby* being Examined, he acknowledged that no such List of late had been hung up, but he delivered to the Committee a Paper which he informed them was a Schedule of Fees established by the Judges of the Court of the King's Palace of *Westminster* the 17th of *December* 1675, hereunto annexed in the first Appendix marked with the Letter (A.) which Fees seem very exorbitant, in regard there are different Fees paid by the same Prisoner to the same Officer, and the whole amounts to more than is proportionable to the Smallness of the Sums for which Processess are issued out of that Court.

Upon Inspection of the several Parts of the said Goal, the Committee find that the said Goal is divided into two Divisions, viz. the Master's Side, and the Common Side, and that a part thereof is only fenced in with a few weak old Boards; That there are several Rooms on the Master's Side kept empty, some with but one or two Persons in them, and others at the same time crowded to that degree as even to make them unhealthy; particularly in one of the Rooms in a part of the Prison called the *Oake*, nine Men are laid in three Beds, and each Man pays 2s. 6d. per Week, so that Room singly produces 1 l. 2s. 6d. per Week: But a more particular Account of the Numbers of Prisoners in each Room, and of the Sums they are to pay for Chamber Rent, will appear by the annexed Appendix (B.)

It appeared to the Committee that the Goaler of the said Prison, out of a view of Gain, hath frequently refused to remove Sick Persons, upon Complaint of those who lay in the same Bed with 'em; a particular Instance of which follows.

Mrs. *Mary Trapps* was Prisoner in the *Marshalsea*, and was put to lie in the same Bed with two other Women, each of which paid 2s. 6d. per Week Chamber Rent; she fell ill, and Languish'd for a considerable Time, and the last three Weeks grew so Offensive, that the others were hardly able to bear the Room; they frequently complained to the Turnkeys, and Officers, and desired to be removed, but all in vain; at last she smelt so strong that the Turnkey himself could not bear to come into the Room to hear the Complaints of her Bed-fellows, and they were forced to lie with her, or on the Boards, till she died.

And the Committee inspecting the various parts of the Goal, saw a Prisoner who kept his Bed with a Fistula, and two other Persons obliged to lie with him in the same Bed, tho' each paid 2s. 6d. per Week, yet they even submitted to such Rent and Usage rather than be turned down to the Common Side.

The Common Side is inclosed with a strong Brick Wall, in it are now Confined upwards of 330 Prisoners, most of them in the utmost Necessity; they are divided into particular Rooms called Wards, and the Prisoners belonging to each Ward are lock'd up in their respective Wards every Night, most of which are excessively Crowded,

Thirty, Forty nay Fifty Persons having been locked up in some of them not Sixteen Foot Square; and at the same time that these Rooms have been so crowded, to the great endangering the Healths of the Prisoners, the largest Room in the Common Side hath been kept empty, and the Room over *George's Ward* was let out to a Taylor to work in, and no Body allowed to lye in it, tho' all the last Year there were sometimes Forty, and never less than Thirty Two Persons locked up in *George's Ward* every Night, which is a Room of Sixteen by Fourteen Feet, and about Eight Feet high; the Surface of the Room is not sufficient to contain that Number, when laid down, so that one half are hung up in Hammocks, whilst the other lie on the Floor under them; the Air is so wasted by the Number of Persons, who breathe in that narrow Compass, that it is not sufficient to keep them from stifling, several having in the Heat of Summer perished for want of Air. Every Night at Eight of the Clock in the Winter, and Nine in the Summer, the Prisoners are locked up in their respective Wards, and from those Hours until Eight of the Clock in the Morning in the Winter, and Five in the Summer, they cannot upon any Occasion come out, so that they are forced to ease Nature within the Room, the Stench of which is noisome beyond Expression, and it seems surprising that it hath not caused a Contagion.

The crowding of Prisoners together in this manner is one great Occasion of the Goal Distemper; and tho' the unhappy Men should escape Infection, or overcome it, yet if they have not Relief from their Friends, Famine destroys them. All the Support such poor Wretches have to subsist on, is an accidental allowance of Pease given once a Week by a Gentleman, who conceals his Name, and about Thirty Pounds of Beef provided by the voluntary Contribution of the Judge and Officers of the *Marshalsea*, on *Monday, Wednesday* and *Friday*, which is divided into very small Portions of about an Ounce and an half, distributed with one fourth Part of an half penny Loaf; each of the Sick is first served with one of those Portions, and those that remain are divided amongst the Wards; but the Numbers of the People in them are so great, that it comes to the turn of each Man but about once in fourteen Days, and of each Woman, they being fewer, once in a Week.

When the miserable Wretch hath worn out the Charity of his Friends, and consumed the Money which he hath raised upon his Cloaths and Bedding, and hath eat his last Allowance of Provisions, he usually in a few Days grows weak for want of Food, with the Symptoms of a *Hellick Fever*; and when he is no longer able to stand, if he can raise 3 *d.* to pay the Fee of the common Nurse of the Prison, he obtains the Liberty of being carried into the Sick Ward, and lingers on for about a Month or two, by the assistance of the abovementioned Prison Portion of Provision, and then dies.

The Committee saw in the Women's Sick Ward many miserable Objects lying without Beds on the Floor, perishing with extream Want.

And in the Men's Sick Ward yet much worse; for along the Side of the Walls of that Ward, Boards were laid upon Trestles like a Dresser in a Kitchen, and under them between those Trestles, were laid on the Floor one Tire of sick Men, and upon the Dresser another Tire, and over them hung a Third Tire in Hammocks.

On the giving Food to these poor Wretches (tho' it was done with the utmost Caution, they being only allowed at first the smallest Quantities, and that of liquid Nourishment) one died. The Vessels of his Stomach were so disordered and contracted for want of Use, that they were totally incapable of performing their Office, and the un-

unhappy Creature perished about the time of Digestion. Upon his Body a Coroner's Inquest sate (a thing which tho' required by Law to be always done, hath for many Years been scandalously omitted in this Goal) and the Jury found that he died of Want.

Those who were not so far gone, on proper Nourishment given them recovered, so that not above Nine have died since the 25th of March last, the Day the Committee first met there; tho' before, a Day seldom passed without a Death, and upon the advancing of the Spring, not less than Eight or Ten usually died every 24 Hours.

The great Numbers who appeared to have perished for Want, induced the Committee to inquire what Charities were given for the Subsistence of the Prisoners in this Goal. They have as yet been only able to come at full Proof of 10 *l. per Annum*, left by Sir Thomas Gresham, and One Pound *per Annum* paid by each County in England, commonly called Exhibition Money; but have Reason to believe there are many other Sums which the shortness of the Time prevented the Committee from being able fully to discover.

All the Charities belonging to the Prison were formerly received by a Steward chose by the Prisoners on the Common Side, and the said Prisoners had a Common Seal belonging to them, kept by their said Steward, and they were divided into Six Wards, each of which chose monthly a Constable, and the said Constables signing a Receipt, and sealing it with the said Common Seal, was a full Discharge to the Persons paying the Charities.

In 1722, *Matthew Pugh* was chosen Steward by the Prisoners, and at their Request approved by Sir *John Bennet*, then Judge of the *Marshalsea* Court; *Pugh* discover'd several Charities which had been before concealed, and applied them to the Use of the Prisoners; and in 1725, he acquainted the then Constables, that *John Darby* and his Servants in the Lodge, had got Possession of the old Common Seal, and that *Edward Gilbourne*, Deputy Prothonotary of the said Court, had the Possession of another Seal with the same Impression, which he had reason to believe was made use of to affix to Receipts for Charity-Money, (to the great Fraud and Oppression of the poor Prisoners) upon which the said Constables agreed to be at the Expence of making a New Seal with this Addition, *MARSHALSEA PRISON 1725*, and they also bought a Chest with Seven different Locks and Keys, so that the Chest could not be opened without all the said seven Keys, one of which was lodged in the Hands of each Constable, and the seventh in the Hands of the Steward, and they fixed the Chest to the Wall in the Ward called the *Constable's Ward*, and locked up the Seal therein, and whenever any Receipt was to be sealed, the Six Constables and the Steward were all concurring, and the Money so received was publickly known and divided.

But this publick and just Manner of receiving and distributing the Charities was disliked by the Keeper and his Servants, and they complained to the Judge of the *Palace Court*, and gave Information that the said *Pugh* was a very turbulent Fellow, and procured a Rule, a Copy of which is hereunto annexed in the Appendix marked (C), by which it is ordered that *Matthew Pugh* shall be no longer permitted to have access to the said Prison or Court, and the Prisoners are allowed to chuse another Steward; and accordingly *John Grace*, then Clerk to the Keeper, was chosen Steward by those in the Keeper's Interest. But the Constables in behalf of the Prisoners refus'd to deliver up the Keys of the Chest where their Seal was, insisting, that all Receipts should be sealed as usual in a Publick manner, that they might know what Money was received, and thereupon the said Chest was broke down and carried away by the said *William Atton* and the said *John Grace*.

The

The said *William Aston* in his Defence against this Charge did not deny this Fact, but said he did it by Order of the Court; and being required to produce such Order, he said it was a verbal Order, given him by the said *Edward Gilbourne*. And the said *Edward Gilbourne* being examined in the Presence of the said *William Aston*, denied that he gave any such Order.

This Transaction was about the Time the Act for Relief of Insolvent Debtors in 1725 took place; and the Old Prisoners, who knew this Affair, being discharged by that Act, those who were newly committed, being ignorant of their Rights to Charities, were defrauded thereof under this abuse.

After the Time of taking by Violence Possession of the Prisoners Seal, as before mentioned, the said Seal was used in the Lodge, without the Privy or Consent of the Prisoners, and was affixed to Receipts for Legacies and Charities, which the said *Gilbourne* receiv'd, and disposed of as he pleased, in a very irregular and arbitrary Manner, until Complaint thereof was made to Sir *John Darnall*, Judge of the Court; and then what was afterwards paid for the Prisoners was distributed regularly, but no Account was given to the Prisoners by *Gilbourne* of the Moneys he received.

Till the turning out of *Pugh*, and the violent breaking open the Prisoners said Chest, the Steward used to distribute the Charity Money among the Prisoners equally and indifferently without Favour or Affection, and accounted regularly to the Prisoners, and never received any Money without their Privy and Orders; but since the said Violence, nothing hath been regularly done in respect of the Charities; sometimes the said *Edward Gilbourne*, at other times the said *John Grace*, distributed them as they thought fit; and since the said *William Aston*, Butcher, hath rented the said Goal, there has been no Steward, nor any Account given of the said Charities, he having taken upon himself to act as Steward without the Choice or Consent of the Prisoners: And upon his Examination, he confessed, that from May 1728, to May 1729, he had received Charity Money for the poor Prisoners, amounting to above 115 *l.* of which he had kept no Account, and took no Notice thereof till this Committee was appointed to Enquire into the State of the Goals, not expecting to have been asked about it. He pretended he had distributed the Money among the Prisoners directly, but produced no sort of Vouchers for it.

The present extreme Want and Necessity of the Prisoners in the said Goal proceeds from the Charities being grossly perverted, and not laid out in proper Provisions, and divided into proper Portions. For if 115 *l.* a Year, which *Aston* himself acknowledges he had received, had been laid out in Bread only, it would have afforded each Prisoner two Pounds of Bread *per Week*, (supposing the Prisoners on the Common Side to have amounted, one Time with another, to Three Hundred) which Pittance, tho' very small, would have prevented the Starving to Death many miserable Wretches, who have perished in the said Goal with meer Hunger.

The Committee have Reason to believe That the Charities given by well-disposed Persons unknown have been sufficient for the Support and Maintenance of the poor Prisoners in this Goal: But the Modesty of the Donors concealing their Alms, This too great Fear of Ostentation hath enabled the Goaler and his Miscreants at the Lodge to pervert the Charity-Moneys, and defraud the poor miserable Prisoners thereof.

The Committee have discovered some private Charities, (*notwithstanding the Industry of the Donors to conceal them*) particularly that of *His Grace the Duke of Dorset*, the present Lord Steward of the Household,

hold, who raised a Fund of Charity upon the Destruction of that pernicious Practice of Selling Offices.

The Custom of this Court formerly was to sell all the Places belonging thereto, and the very Council and Attorneys purchased the Liberty of Pleading and Practising in this Court; for which the first gave as far as 1000 *l.* the latter as far as 1500 *l.* each. One Moiety of which Sums was for the Benefit of the Lord Steward, and the other Moiety for the Knight Marshal.

As the present Inquiry is not into the Nature and Practice of this Court, (*the Abuses of which well deserve a particular Inquiry*) The Committee do not enlarge upon the ill Consequences of such corrupt Sales, but cannot forbear to observe, that the first who stemmed this Tide of Corruption was His Grace the Duke of *Argyle*, then Lord Steward, who disdaining to share the Spoils of the Unfortunate, scorned to take any Money arising from the Sale of Offices, and made an Excellent Precedent (*very much disliked by the Practising Part of the Court*) that of appointing Officers for their Merit, not for their Money. Upon the Death of Sir *John Bennett*, His Grace, without Fee or Reward, appointed Sir *John Darnall* Judge of the Court, and followed the same Method in disposing of the other Offices of the Court.

The Duke of *Dorset* (now Lord Steward) was very much importuned by the Officers of the Court to permit the Practice of Selling as formerly, but being resolved not to give way to it, yet willing to be eased of their Importunity, He let them know, that he would sell the Place of one of the Council, then vacant; the Sum he sold it for was One hundred Pounds only, to *George Ballard*, Esq; which His Grace ordered to be applied to discharge poor Prisoners, and at the same time expressly directed Mr. *Ballard* to give no other Money to any Person whatsoever.

The aforementioned *Edw. Gilbourne*, Deputy Prothonotary, received the said Money, and was two Years in disposing of it, discharging such only as he himself thought proper.

In that Time an *Act for Relief of insolvent Debtors* took place, by Vertue of which many Persons were discharged out of the said Prison, and others were at several times also discharged by private Charities, from Persons unknown; but the Names of those thus released cannot now be discovered, or compared with the List delivered by the said *Gilbourne*, of the Names of the Prisoners which he pretends were discharged by the Duke of *Dorset's* said Charity.

It appeared to the Committee, That the Keepers in the *Lodge* have greatly imposed on the charitable Persons, who without discovering their Names, have released Prisoners by paying their Debts and Fees: These Keepers have a Set of idle Fellows employed by them as Agents in carrying on their wicked Designs, and whom they indulge in Riot, and in abusing their Fellow-Prisoners, and allow to go out as Messengers. These Persons are voluntary Prisoners, and in the List given in by *John Darby*, he acknowledged 20 who choose rather to be confined, than at Liberty. These the Keepers generally produce, as proper Objects of Charity, when pious Persons unknown come to discharge poor Prisoners in Secret, and their pretended Debts and Fees being paid, as such Objects, They, in Form, go out of the Prison, but in a little Time return back again to the same wicked Practice, to the scandalous Abuse of such Pious and Excellent Charities, and to the great Fraud and Oppression of the Miserable, for whom they were intended.

The Abuse of the Begging-Box is another great Imposition.

The Prisoners have all along had a Right to nominate Persons to go about with Begging-Baskets and Boxes, and to give them Deputations under their Hands and their Common Seal, to make such Collections;

but since that Seal has been violently taken away, and kept in the *Lodge* as aforesaid, these Deputations are countersigned and sealed by the Deputy-Marshal, or some of his Agents or Servants; and the Prisoners have been forced to submit to give to such Persons, for their Pains, all the Moneys collected by them, provided they bring in two Baskets only of broken Victuals *per Week*, or, in Lieu thereof, pay two Shillings; and even this disadvantageous Agreement is not complied with, for the Prisoners are Months together without hearing any thing at all of their Basket-Men.

So that the good and charitable Intentions of Mankind are wickedly perverted, and rendered useless, and of no Avail to the poor Prisoners, who can neither come out to be relieved, nor can Those who come to relieve, have easy Access to such poor Wretches, nor distinguish the Impostors from the Unfortunate.

The only effectual Way to distribute such Charity rightly seems to be, to see some Prisoner of each *Ward*, who is not in the Keeper's Interest, and from such Prisoner to know the most Necessitous.

The abovementioned Practice of Farming and Defrauding the Begging-Box, is not peculiar to this Prison of the *Marshalsea* only. The poor Prisoners in the *Fleet-Prison* are abused in the same Manner.

In this Prison of the *Marshalsea*, Pyrates are kept as well as Debtors; and the first, who are generally a very desperate and abandoned Sort of People, are suffered to mix with all the unhappy Debtors of the Common Side: which may be of dangerous Consequence, for this being a Prison for the poorer Sort, in which great Numbers of poor Sailors are commonly confined, the Conversation of these Pyrates, and their Boasts how riotously they lived whilst at Sea, may instil Inclinations of following the same wicked Practices: This Correspondence with these desperate People hath already had some Influence upon the poor Debtors, and was in part the Occasion of several of them attempting to escape, to which Hunger and extreme Want being added, some of them became so desperate, that after having fasted four Days, and seeing no Hope of Relief, they attempted to break thro' the Prison Wall, and were taken in the Attempt.

This gave the Gaolers a Pretence to exercise their greater Cruelties; All the Persons so attempting to escape, were called into the *Lodge* by the said *Alton*, one by one, and there examined. One of them was seen to go in perfectly well, and when he came out again, he was in the greatest Disorder, his Thumbs were much swoln and very sore, and he declared, that the Occasion of his being in that Condition, was that the Keeper, in Order to extort from him a Confession of the Names of those, who had assisted him and others in their Attempt to escape, had screwed certain Instruments of Iron upon his Thumbs so close, that they had forced the Blood out of them, with exquisite Pain; after this he was carryed into the Strong Room, where besides the other Irons which he had on, they fixed on his Neck and Hands an Iron Instrument, called a *Collar*, (like a pair of Tongs) and he being a large lusty Man, when they screwed the said Instrument close, his Eyes were ready to start out of his Head, the Blood gushed out of his Ears and Nose, he foamed at the Mouth, the Slaver run down, and he made several Motions to speak, but could not; after these Tortures, he was confined in the Strong Room for many Days with a very heavy pair of Irons, called *Sheers*, on his Legs.

It has been usual in this Prison for the Keepers unlawfully to assume to themselves a pretended Authority of Magistrates, and not only to judge and decree Punishments arbitrarily, but also to execute the same unmercifully: Numberless are the Instances of their immoderate Beating poor Debtors at their pleasure; insomuch that the very Name of the *Instrument* hung up in the *Lodge*, for beating the Prisoners, became a Terror to them.

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The various Tortures and Cruelties before mentioned not contenting these wicked Keepers in their said pretended Magistracy over the Prisoners, they found a Way of making within this Prison a Confinement more dreadful than the Strong Room itself, by coupling the Living with the Dead; and have made a Practice of Locking up Debtors, who displeased them, in the Yard with Humane Carcasses. One particular Instance of this Sort of Inhumanity was, of a Person whom the Keepers confined in that Part of the lower Yard which was then separated from the rest, whilst there were there two dead Bodies which had lain there Four Days; yet was He kept there with them Six Days longer, in which Time the Vermin devoured the Flesh from the Faces, eat the Eyes out of the Heads of the Carcasses, which were bloated, putrified, and turned green, during the poor Debtor's dismal Confinement with them.

The great Business depending in the House of Commons having often required the long Attendance of the Members of this Committee, the Committee have not been able to go thro' the Examinations which they had entered into, upon the various Complaints laid before them, of cruel Beating, Ironing, Torturing, and Murdering Debtors, too shocking and too numerous to be thoroughly examined in so short a Time, as the Remainder of this Session of Parliament allows.

One cruel and barbarous Instance, among others, which appeared to the Committee, they cannot omit, *viz.*

In the Year 1726, *Thomas Bliss*, a Carpenter, not having any Friends to support him, was almost starved to Death in the Prison; upon which he attempted to get over the Prison by a Rope, lent him by another Prisoner: In the Attempt he was taken by the Keepers, dragged by the Heels into the *Lodge*, barbarously beaten, and put into Irons, in which he was kept several Weeks. One Afternoon, as he was quietly standing in the Yard with his Irons on, some of the said *Alton's* Men called him into the *Lodge*, where *Alton* was then drinking and merry with Company; in about Half an Hour *Bliss* came out again, crying, and gave an Account, That when he was in the *Lodge*, they, for their Diversion (as they called it) fixed on his Head an Iron Engine, or Instrument (which appears to be an Iron Scull-Cap) which was screwed so close that it forced the Blood out of his Ears and Nose: And he further declared, That his Thumbs were at the same time put into a pair of Thumb-Screws, which were screwed so tight that the Blood started out of them; and from that time he continued disorder'd to the Day of his Death. He was let out of the Prison without paying his Debt, and at his going out *Alton* desired, *That all that was past might be forgot, and that he would not bear him any Ill Will.* This miserable Wretch was put into *St. Thomas's* Hospital for Help, but dyed very soon.

The Committee observe;

That tho' in this Prison there are many Rooms entirely empty, yet in other Rooms the Prisoners are crowded together, to the utter Destruction of their Healths, and the endangering a General Infection.

That notwithstanding Thirty and Forty Prisoners were locked up together in one Room, yet the said *John Darby* (the Keeper) did certify to the Committee, That the said Prison of the *Marshalsea* was sufficient commodiously to contain the Number of Prisoners thereto committed.

That the Charities have not been accounted for, but have been scandalously perverted, while great Numbers have perish'd in the Prison thro' meer Want.

That many Prisoners have died daily in the said Prison, as well those in Execution as others, and no Coroner's Inquest hath sat upon their Bodies.

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The said *William Acton* being examined, at first denied, but after being confronted with several Witnesses, acknowledged, that he had had Thumb-Screws in his Possession, and pretended he had given them to the Gaoler at *York*. He positively denied the having any Iron Instrument or Cap for the Head, and yet afterwards directed the Turnkeys where to find the Iron Scull-Cap before mentioned, and it was produced to the Committee.

The Committee also found several very heavy Iron Bars, Shackles, Fetters and Handcuffs for the miserable Prisoners in the said *Marshalsea* Prison.

The unwarrantable letting to Farm the Benefit of Keeping these Prisoners hath unjustifiably increased the Profits of the Prison, to the greater Oppression of the Prisoners: The said *William Acton* (to whom the Profits of the said Prison are Lett by the said *John Darby*) hath, in this First Year of his Farming the same, invented new oppressive Methods to make his Profits double those of the preceding Year.

If the Gaolers are not punished for these their wicked Devices, and due Care be not taken to prevent the like barbarous Practices for the future, the poor Prisoners, who may happen to survive these Cruelties, must be more miserable than can be expressed.

The Committee apprehending the Conclusion of this Session to be now so near as to prevent their proceeding to farther Enquiries, have thought it their Duty, at this time, to lay a State of these Facts before the House, hoping some Effectual Provision will be made, in the next Session of Parliament, for remedying the great Grievances before mentioned; for better Regulation of Goals; and for inflicting proper Punishments upon Goalers for Cruelties to their Prisoners.

And the Committee have come to the following Resolutions, *viz.*

Resolved, That it appears to this Committee, That *William Acton*, Clerk of the Prison of the *Marshalsea*, and Farmer of the same Goal, and the Profits thereof, by Lease from Mr. *John Darby*, the Keeper of the said Prison, hath been guilty of many High Crimes and Misdemeanours in the Execution of his Office; and hath arbitrarily and unlawfully loaded with Irons, Tortured and Destroyed, in the most Inhumane, Cruel, and Barbarous Manner, Prisoners for Debt under his Care, in high Violation and Contempt of the Laws of this Kingdom.

Resolved, That it appears to this Committee, That the Charities given by well-disposed Persons for the Relief and Sustenance of the poor Debtors, confined in the said Prison of the *Marshalsea*, are notoriously and scandalously misapplied; and that the Keeper of the said Prison, and his Dependants and Agents, instead of distributing the said Charities to the said poor Debtors, have most unjustifiably possessed themselves thereof, and wickedly perverted the same to their own Uses, to the great Fraud and Oppression of the said poor Prisoners in general, and to the Starving many, who have perished in the said Prison for want thereof.

Resolved, That it is the Opinion of this Committee, That Mr. *John Darby*, Keeper of the said Prison of the *Marshalsea*, having contrary to, and in Defiance of the Law, Let to Farm his said Goal and Office, and the Profits thereof, unto the said *William Acton*; and having grossly neglected his Duty in not preventing or remedying the said Inhumanities, Cruelties, Frauds, and Abuses, is guilty of a High Misdemeanour in his Office, and a notorious Breach of his Trust, in Contempt of the Law, and to the great Oppression and Ruin of many of His Majesty's Subjects.

APPENDIX (A.)

A SCHEDULE of such Fees as are Appointed and Established by the Judges of the Court of the King's Palace of Westminster, the 17th Day of December 1675, Annoque RR. Car. 2^{di} 27^o, to be from henceforth Taken and Received by the Keeper of the Prison belonging to the said Court, as followeth, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR the Knight Marshal's Fee upon the discharging of every Prisoner for the first Action only - - - - -	0	1	8
For the Knight Marshal's Deputy upon the like Discharge, - - - - -	0	0	3
For the Prothonotary upon the like Discharge - - - - -	0	1	5
For his own Fee for his Care and safe Custody of every Prisoner, to be taken upon the Discharge of every such Prisoner for the first Action - - - - -	0	4	8
For his Porter upon the like Discharge - - - - -	0	1	6
For his own Fee upon every Discharge of such Prisoner for the Second Action - - - - -	0	3	8
For his Porter upon the like Discharge - - - - -	0	1	4
For his Clerk for entering the Charge against every Action, except that upon which he is first brought into Custody - - - - -	0	1	0
For his said Clerk for entering every Discharge of a Prisoner for every Action - - - - -	0	1	0

*Edmond Wyndham.
Ja. Butler.*

APPENDIX (B.)

An ACCOUNT of the Number of the Prisoners now lying for Debt in the MARSHALSEA PRISON, and of the *Chamber Rent*.

The Master- side is divid- ed into five Parts, viz.	The Horsepond 3 Rooms The Oake - - 8 Ditto The Nursery 5 Ditto The Park - - 11 Ditto The Long Gal. 6 Ditto	Number of Beds in each Room.	Number of Per- sons lying in each Room.	What each Prisoner pays per Week for his Lodging.	Total paid per Week.	Total paid per Annum.
<i>In the Horsepond Floor.</i>				<i>s. d.</i>	<i>l. s. d.</i>	<i>l. s. d.</i>
In the first Room are two Persons		1	2	2 6	5 0	
In the Second Ditto one Man		1	1	2 6	2 6	
The Third is the Turnkeys						
Adjoyning is a Gallery consisting of 4 empty Rooms						
In the Chamberlain's House are 5 empty Rooms						
<i>In the Oake Ground Floor.</i>						
A small Coffee Room rented by a Wo- man at				2 6	0 2 6	
First Room has		2	3 Women	2 6 each	0 7 6	
Second Ditto		2	3 Ditto	2 6 Ditto	0 7 6	
<i>One pair of Stairs.</i>						
A Room and Closet		2	2 Ditto	2 6 Ditto	0 5 0	
<i>Two pair of Stairs.</i>						
First Room		3	9 Men	2 6 Ditto	1 2 6	
Second Ditto		1	2 Ditto	1	0 2 6	
Third Ditto		2	6 Ditto	2 6 each	0 15 0	
Fourth Ditto		3	7 Ditto	2 6 Ditto	0 17 6	
Here is also a large Chamber let out for 3 Prisoners to work in at				1 0 Ditto	0 3 0	
<i>In the Nursery.</i>						
The Ground Floor is a Chandlers Room rented at				6 0	0 6 0	
<i>One pair of Stairs.</i>						
First Room		1	2 Ditto	2 6 each	0 5 0	
Second Ditto		2	5 Ditto	2 6 Ditto	0 12 6	
<i>Two pair of Stairs.</i>						
First Ditto		1	3 Ditto	2 6 Ditto	0 7 6	
Second Ditto		2	6 Ditto	2 6 Ditto	0 15 0	
<i>In the Park are two Stair Cases.</i>						
In the first Stair Cafe are 5 Rooms.						
<i>Ground Floor.</i>						
One Room		1	2 Ditto	2 6 Ditto	0 5 0	
<i>One pair of Stairs.</i>						
First Room		1	1 Ditto	5 0	0 5 0	
Second Ditto		1	1 Ditto	5 0	0 5 0	
<i>Two pair of Stairs.</i>						
First Ditto		1	3 Ditto	2 6 each	0 7 6	
Second Ditto		1	3 Ditto	2 6 Ditto	0 7 6	
In the Second Stair Cafe are Six Rooms.						
<i>Ground Floor.</i>						
First Room		1	3 Ditto	2 6 Ditto	0 7 6	
Second Ditto		1	3 Ditto	2 6 Ditto	0 7 6	
<i>One pair of Stairs.</i>						
First Ditto		1	2 Ditto	2 6 Ditto	0 5 0	
Second Ditto		3	7 Ditto	2 6 Ditto	0 17 6	
<i>Two pair of Stairs.</i>						
First Ditto		1	2 Ditto	2 6 Ditto	0 5 0	
Second Ditto		1	2 Ditto	2 6 Ditto	0 5 0	
In the Long Gallery					0 1 0	

Total paid per Week 10 13 6
Fifty two Weeks per Annum Amounts to 555 2 0

In the Long Gallery are six indifferent Rooms, two of them are taken up by a Prisoner and his Family, and a third by another Prisoner, paying One Shilling *per Week*; but this Building is in a very Ruinous Condition, and unsafe for the Confinement of other Prisoners than such as the Marshal is well assured of, the Walls being very weak, and lying next a Court which communicates with the *Borough of Southwark*.

On the Common Side are 3 Stair-Cases and 2 Wards.	Number of Persons lying in each Room.	Number of Beds or Hammocks in each Room.	What each Prisoner pays per Week for Lodging.	Total per Week.	Total per Annum.
The first Stair-Case contains 5 Rooms or Wards.					
<i>On the Ground Floor.</i>					
Is George's Ward, containing 32 Men and but 16 Hammocks - - -	32	16	s. d.	l. s. d.	l. s. d.
<i>One pair of Stairs.</i>					
The Petitioning Room containing 13 Women, some lying on Beds, others on the Floor - - -	13				
The Cook pays for a Chamber and Liberty to sell Provision to the Prisoners - - -			4 0	0 4 0	
<i>Two pair of Stairs.</i>					
The Womens Sick Ward, 7 Women in a deplorable Condition - - -	7				
New Room, 15 Women, some lying on Beds, others on the Floor - - -	15				
At the Foot of this Stair-Case is a large empty Room kept (as we are informed) for Workmen, tho' the Wards being so extremely crowded it had been very proper to have placed some Prisoners in it - - -					
The 2d Stair-Case contains 5 Rooms.					
<i>On the Ground Floor.</i>					
The Sick Mens Ward containing 11 miserable Men, in such Beds as they had, being some on the Floor and others on a Bulk over them, crowded in a small compass, in a very Melancholy and Affecting Condition - - -	11				
<i>One pair of Stairs.</i>					
The Prince's Ward - - -	36 Men.	14 Ham.			
The Warrant Room for Lodging and Liberty of Working therein - -	7 Ditto		1 0 each	0 7 0	
Another Room containing two Prisoners having their own Furniture, who pay - - -	2 Ditto		2 6	0 5 0	
<i>Two pair of Stairs.</i>					
The Charity Room, 13 Women with a few Beds on the Floor.	13				
Between the 2d and 3d Stair-Cases are two Ground Wards.					
First Pump Ward - - -	25 Ditto	17 Ham.			
Second Constables Ward - - -	38 Ditto	20 Ham.			
In the 3d Stair-Case are 5 Wards.					
<i>On the Ground Floor.</i>					
The King's Ward - - -	38 Ditto	13 Ham.			
<i>One pair of Stairs.</i>					
The Duke's Ward - - -	33 Ditto	20 Ham.			
The Queen's Ward - - -	29 Ditto	18 Ham.			
<i>Two pair of Stairs.</i>					
The Dutchess's Ward, few Beds on the Floor - - -	11 Wom.				
The Debtor Womens Ward, Ditto - -	9 Ditto			0 16 0	
The Amount of the Common Side					41 12 0
The Amount of the Master Side					555 2 0
Total Amount per Annum					596 14 0

A P P E N D I X (C.)

Palace Court, 30th July 1725.

UPON Information given to this Court by the Keeper of the Prison thereof, that one *Matthew Pugh* (who has for some time past received for the Prisoners of the said Prison, the Gifts and Legacies belonging to them) has under that Pretence very often behaved himself very turbulently in the said Prison, frequently occasioning Disturbances amongst the said Prisoners; and because of the impudent Behaviour of the said *Matthew Pugh*, as well in this Court as the Office of the Prothonotary thereof, It is this Day ordered that the said *Matthew Pugh* be no longer permitted to have Access to the Prison of this Court upon the Pretence aforesaid, and that the Prisoners of the said Prison be at Liberty to appoint another Person to receive the Gifts and Legacies belonging to them.

By the Court,

Gilbourne.

FARTHER IN
RELATION
TO THE
FLEET PRISON.

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Farther in Relation to the *FLEET PRISON.*

THE Dispatch which Your Committee found themselves obliged to give to their former Report (relating to the *Fleet Prison*) prevented their inserting several Facts, which in the Course of their Examination have since come to their Knowledge, in a fuller Light, and which they think proper to lay before the House, by way of Supplement to their said former Report, as followeth, viz.

It farther appeared to the Committee, that Mr. *Arne*, mentioned in the said former Report, whilst he was in the Tap-House of the said *Fleet Prison*, during the Wardenship of *John Huggins* Esq; and behaving himself quietly, was suddenly seized by *James Barnes* (Agent for *Huggins*) and without any Reason given, was forced into the Strong Room or Dungeon on the Master's Side, which Dungeon being then but lately built, and so Damp that the Drops hung upon the Walls, was very nauseous and unwholesome. In this Place was this Unfortunate Man locked up, and never once permitted to go out; But by an Accident on a *Sunday*, the Door being opened, he ran into the Parlour adjoining to the Chappel, during the Time of Divine Service; he had then no Covering upon his Body but the Feathers of a Bed (which Bed was thrown in to him by a Prisoner) into which he crept, to defend himself from the Cold, and the Feathers stuck and were clotted upon him, by his own Excrements, and the Dirt which covered his Skin.

He was immediately seized and carried back into the said Dungeon, where thro' the Cold and the Restraint, and for want of Food, he lost his Senses, languished, and perished.

Notwithstanding the miserable Condition of this Man, and the Applications which were made to Mr. *Huggins*, the then Warden, who saw this miserable Object lying naked in the said Dungeon and unable to speak, but lifting up his Eyes to Mr. *Huggins*, the said *Huggins* had no Compassion on him, but caused the Door to be close locked upon him.

Oliver Reed, another Prisoner in the *Fleet Prison*, was loaded with Irons, by the Directions of Mr. *Huggins*, who confessed to the Committee, That he sent for the Fetters and Manacles from *Newgate*, and ordered them to be put on the Hands and Leggs of this Unfortunate Debtor, who in *October* last was put into another Dungeon, (and was continued there till Your Committee went to view the Goal) where he was forced to lye on a small Bed, with Chains of Forty Pounds Weight, which even *Bambridge* thought too heavy, and applied to
Hug-

Huggins for *Lighter*. *Reed* had nothing but a thin ragged Blanket to cover his naked Body, in the most piercing Weather of the last hard Winter, and within three Yards of him was a Window treble Barred, without Glass or Shutter, under which Window was a Heap of the most noisom Offals to feed the Dogs there Kennelled, and the Place was the more unwholesome because of a Necessary-House in the same Room, the Stench whereof was so intollerable, that Your Committee could not continue in the Room six Minutes to examine this unhappy Person, whose great Sufferings under the Warden's cruel Usage of him, were far greater than Your Committee can express.

It appears also to the Committee, that the said Mr. *Huggins* hath, in Combination with *Richard Bishop* (his Tipstaff) consented to let out several Prisoners, (whom they call by a Cant Name *Pidgeons*) to go into Foreign Parts, as well as into several distant Trading Counties at Home, and furnished them with a Sham Credit to buy Goods, which being consigned to the said *Bishop*, he took out Commissions of Bankruptcy against the Persons so let out of Prison, and fraudulently employed as aforesaid, and thereby cheated the Creditors, who dealt with them, of their Goods, to a very considerable Value; And that a Waggon Load of Scarlet Cloth was brought away from the Owner, on such false Credit; but the Owner pursuing it, seized the Cloth as they were unloading it upon *Ludgate-Hill*.

And farther it appears to Your Committee, that during the said Mr. *Huggins's* Wardenship, several Writs of *Habeas Corpus ad Testificandum* were surreptitiously taken out, by his Direction, to protect Prisoners, who desired to go to any Part of the Kingdom, on Pretence of giving Evidence at some Tryal, or at some Affizes; for which Liberty *Huggins* received large Sums of Money, and even those Writs have had Blanks left in them, to insert a pretended Cause: And to avoid Suspicion of such Writs being Collusive, *Huggins* by Letter under his own Hand, and now in the Hands of Your Committee, pretended to caution his Servants not to be concerned in taking out such Writs, and by the said Letter it fully appears that this wicked Practice was for Lucre only, and such Liberty thus given was to Prisoners committed for very large Sums.

Your Committee, notwithstanding their Diligence and Zeal in the Premises, have not been able to come at a true Account of the Charities given for Relief of the poor Prisoners in the *Fleet* Prison; but Your Committee have no Reason to believe there is in that Particular less Iniquity in the Wardens Management, than in the other Practices; whereof the following may serve as an Instance.

Lieutenant *Robert Fitz-Simmonds* being discharged by the Plaintiff's Executors, on the 12th of April 1728, lay then in Prison for his Fees only, about which Time a Gentleman came to the *Fleet* Prison from an unknown Lady, to discharge all such Prisoners as remained there for Fees only, provided the same exceeded not the Sum of three Guineas each, Or that the Warden would discharge such Prisoners of all Fees and Demands for that Sum; Upon which Mr. *Thomas Bambridge* (then Warden) sent for twelve Prisoners, and gave the said Gentleman a List of their Names, with his full Demands on them severally, which were considerably more than Three Guineas each: However, *Bambridge*, in Compliance with the Lady's great Charity, and in regard to the poor Prisoners, consented to accept the Three Guineas for each Prisoner,

ner, in full Discharge of all Demands; assuring the said Gentleman, That they should be discharged on that Condition; whereupon he paid *Bambridge*, in the Presence of the said Twelve Prisoners, Thirty Six Guineas for their Discharge: But as soon as the Gentleman's Back was turned, *Bambridge* insisted on all his former Demands to the full, and would not suffer them to go out of Prison till they had given him Notes for what exceeded the Three Guineas.

Mr. Fitz-Simmonds, one of these Prisoners, was forced to sign a Note drawn by *Bambridge* himself, payable to *William Pindar* (one of his Accomplices) or Order, for Twenty Seven Pounds Ten Shillings; and the other Eleven of the said Prisoners were forced to do in the same Manner.

It also appears to the Committee, that the first bringing of Soldiers to the *Fleet* Prison, to put in Fear, and to insult the poor Debtors, was in the Time when *Mr. Huggins* was Warden.

In Justice to his Majesty's Revenue, the Committee think it their indispensable Duty to lay before the House one particular Transaction of *Mr. Huggins* with *Mr. Thomas Perrin*, of London, Merchant, Debtor to the Crown in several Bonds to the Amount of 42057 l. (where-with he was charged in the *Fleet* Prison, and was permitted to Escape from thence by *Mr. Huggins*, when Warden.) The Committee having come to a more particular Knowledge of this Affair, by the Papers which the said *Perrin* sent over from *Holland*, to the Treasury here, as his Case, the Committee crave leave to subjoin the same by way of Appendix to this Report; with this Observation, That at the Time when *Mr. Huggins* was examined before the Committee touching this Escape, He acquainted them, That he had got a *Quietus* for the same, in the late King's Reign, and also that the Commissioners of the Customs having put up to Sale *Perrin's* Security to the Crown, He (*Huggins*) bought in the said Debt of 42057 l. for about 2000 l.

The Committee think it proper to lay before the House the Case of *Sir William Rich* Bart. a Prisoner for Debt in the *Fleet* Prison, viz.

It appeared to the Committee, That *Sir William Rich* removed himself by *Habeas Corpus* from *Newgate* (where he lay for Debt) to the *Fleet* Prison; but instead of being admitted (as he desired) into that Prison, he was carried to and confined at *Corbett's Spunging-House* for a Fortnight, at very great Expences: And tho' he often applied to be put into the Prison, it was refused, unless he would pay 5 l. to the Warden, as a Commitment-Fee; and also 10 s. per Week for his Lodgings, which exorbitant Demands he was obliged to comply with, not being able to support and pay the heavier Extortions of the said Spunging-House.

In about about Ten Weeks after *Sir William's* Removal, *Mr. Bambridge* became Deputy-Warden, to whom *Sir William* applied for a Chamber at a less Rent, which he obtained at 3 s. 6 d. per Week, on Payment of Four Guineas. After *Sir William* had been in this New Chamber about Three Weeks, *William Pindar* the Chamberlain came to him and demanded the Rent of 3 s. 6 d. per Week, which was paid; but *Sir William* not being able to pay all the Arrears of the great Rent due for the former Chamber, a Message came from *Mr. Bambridge* that

he wanted him in the *Lodge*; but *Sir William* conceiving it was the Part of *Mr. Bambridge* to come to him, if he had Business, answered to that Effect; thereupon *James Barnes*, *Corbett*, and others, Armed with Pikes and Halberds, required *Sir William* to go and wait upon *Mr. Bambridge*; But *Bambridge* immediately following his said Messengers, met *Sir William* upon the Stairs, seized him by the Collar, and, the rest of *Bambridge's* Followers assisting, dragged *Sir William* into the *Lodge*, and soon after procured him to be removed by *Habeas Corpus* to the *King's-Bench* Prison, where he remained Twelve Months, and was afterwards brought back to the *Fleet* Prison, by another *Habeas Corpus*, and carried again to *Corbett's* Spunging-House, in order to extort a farther $\text{£}1$. as a Baronet's Fee, for his Commitment, tho' *Sir William* offered to pay the Fee settled by the Court of Common-Pleas of $2\text{l. } 4\text{s. } 8\text{d.}$

After Ten Weeks Stay at *Corbett's*, *Sir William*, late at Night, was ordered into the Prison, and by the Consent of one of the Prisoners, on the Master's Side, went into his Room, where the said Prisoner permitted him to have part of his Bed, and desiring his Stay, said he would raise Money to pay the Warden.

Soon after this, the said *Barnes* came into the Room to turn *Sir William* out by Force; and the Reason being asked, *Barnes* answered, shortly, He would not stand arguing with him; and then put a Red-hot Poker to *Sir William's* Breast, and swore, If he did not pay the Money, or go down immediately, he wou'd run the Poker into his Body.

Then came in Two Men like *Russians*, armed with Muskets, and Bayonets fixed on them, and forcing the Standers-by out of the Room, *Barnes* run at *Sir William* with the said Red-hot Poker, which *Sir William* having the good Luck to put by, *Barnes*, on that Disappointment, ordered the said *Russians* to Fire on him; but being told by another, That if they killed him they would be hanged, they desisted to Fire; and *Barnes* being afterwards put out of the Room by some of the Prisoners who came to protect *Sir William* from the said Danger, *Sir William* went quietly down into the Ward on the Common-Side, called *Julius Cæsar's* Ward; and the next Morning intending to go again to the Master's Side, and being opposed by a Centinel placed by *Bambridge*, he returned, and went into a Room on the Common-Side, and staid by the Fire; and a Cöbler being there at work, *Sir William* borrowed a Knife to cut a Piece of loose Leather from his Shoe, which being done, he laid down the Knife upon the Table.

Bambridge, with *Corbett*, and *John Everett*, and several others (his Accomplices) from *Newgate*, some with Muskets and Bayonets fixed on them, rushing together into the Room, to *Sir William*, *Bambridge* haughtily demanded of him, How he durst use his Servants ill; and instantly, without staying for any Answer, struck *Sir William* with a Stick, thicker than his Wrist; but in some measure *Sir William* put by the Blow, and in his Surprise caught up and struck *Bambridge* with the said Knife, which lay on the Table, near him; *Bambridge* ordering his Men to Fire, one of them snapt his Firelock at *Sir William*, and *Corbett* made a Stroke at him with a Hanger, which Stroke one *Langley* happening to receive, it gave him a great Wound in his Head, thro' his Hat and Wigg.

Immediately after this, Sir *William* was loaded with heavy Irons, and put into the Dungeon on the Common Side, for Two or Three Days, and was then removed to the Dungeon on the Master's Side, in which deplorable Situation, in the last hard Winter, he remained Ten Days, and could have no Fire but Charcoal, which (there being no Fire-place) the Closeness of the Dungeon, and the Fear of being suffocated, rendered more dangerous and intolerable than the Severity of the Weather.

Sir *William* applying to the Court of Common Pleas for Redress, a Rule was made for his Removal, and lighter Irons; (*Bambridge* being wounded) Sir *William* was accordingly removed, but the heavy Irons were kept on him; and in that Condition he suffered until the Committee visited the Prison, having been forced to lye in his Cloaths for a Month before, by reason of the said Irons.

One Application to the Court of Common Pleas for Redress, cost Sir *William* 14l.

The Expence of the meanest Prisoner, on the first Motion to the said Court for Redress, is as followeth, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
An Attorney to take Instructions for drawing the Affidavit	0	3	4
For drawing, according to the Length,	0	6	8
Stamps	0	1	1
To the Judge's Clerk to take the Affidavit	0	6	8
To Council to move	0	10	6
To the Prothonotary for the Rule, which is generally <i>Nisi</i>	0	2	0
Copy and Service on the Warden	0	2	2
The Attorney's Attendance in Court	0	3	4
The Council's second Fee, when the Warden shews Cause	0	10	6
The Attorney's Attendance	0	3	4
To the Prothonotary for the second Rule	0	2	0
Copy and Service	0	2	0
	2	13	7

The Committee in their former Report (relating to the *Fleet* Prison) spoke only in general of Exorbitant Fees paid at the Entry of Prisoners into that Prison; But having since obtained an Account of particular Articles paid on that head, the Committee have thought it proper to lay the same before the House, viz. *John Dudley* paid at his Entrance into the *Fleet* Prison as follows;

For four Surrenders at the Judge's Chambers to his Clerks	9	11	6
To the Tip-Staff	2	2	0
To the Warden	16	12	0
Taking up his Security Bond upon his Surrender	6	6	0
Turning him into the House and for Liberty again several times	10	10	0
	45	1	6

Samuel

Samuel Siddale paid,

	l.	s.	d.
For three Surrenders at the Judge's Chambers	3	8	0
To the Tip-Staff	0	10	6
Three Commitment Fees to <i>Corbett</i> , the Tipstaff, who wou'd not admit him into Prison until paid	6	10	0
To the Chamberlain	0	3	0
To the Turnkey	0	2	0
	10	13	6

Walter Newbury paid,

Fees at the Judge's Chambers on five Actions	7	12	10
To the Warden	11	4	0
To the Turnkey	0	2	6
To the Steward, or Chamberlain	0	5	0
	19	4	4

The former Report of the Committee, relating to the said Fleet Prison, having been under the Consideration of the House, and Directions having been given thereupon, the Committee propose nothing farther, at present, to the House in relation to the said Prison, in particular.

THE

APPENDIX.

PERRIN's CASE,

As it relates to JOHN HUGGINS Esq;
Warden of the FLEET.

THAT in *Easter Term 1714*, *John Huggins Esq;* Warden of the *Fleet*, for a Sum of Money, and upon a Security Bond, wherein the said *Thomas Perrin*, together with *Benjamin Robinson*, and Three other Persons, as his Securities, were bound for his Lodging without the said Prison, permitted him the Liberty aforesaid.

That the said Sureties were Persons of no Account or Substance. That the said *Perrin*, with the Privy and express Consent of the said *Huggins*, went often at large, out of the Rules, without any Day-Rule, or lawful License so to do.

That on the Twelfth of *August 1714*, the said *Perrin* went over to *Holland*, having first employed the said Warden to solicit a Matter then depending before the Commissioners of the Customs, upon a Reference on a Petition of the said *Perrin*, praying, That his Case might be considered with relation to the said Debts, and have his Liberty on giving Security to Return to Prison when required.

That the Warden undertook the Care and Negotiation of the said Business, and the better to carry on the same, corresponded with the said *Perrin* when in *Holland*, who on that Account, and for his Liberty, remitted by Bills, and otherwise, considerable Sums of Money which the Warden received.

That afterwards the said Warden, fearing a Prosecution for the Escape, sent over Mr. *Robinson* into *Holland*, to remind *Perrin* of his Promise to return to the said Prison of the *Fleet* before the next Term; promising him the said *Perrin*, by Letters, and upon Oath before a Master in *Chancery*, that he the Warden would not seize his Person, in the mean time, and that whatever the said *Robinson* undertook for him (the Warden) touching the Case and Favour of *Perrin*, he, the said *Robinson*, should see faithfully performed.

That in pursuance thereof it was agreed between the said *Robinson* and *Huggins*, *Perrin* should have Liberty to transact his Affairs, at large, so as he returned to Prison before next Term; and for his Security in that behalf, the Warden offered to trust *Perrin* entirely, not doubting *Perrin's* Honour; and gives, in one of his Letters, this Reason, viz. That *Perrin* came once before from *Holland*, to surrender himself to save his Bail; whereupon *Perrin* came back to *London*, without any Seizure, Recaption, Restraint, or Molestation of his Person, and for his Security on that Behalf, the Warden offered, and did give *Perrin* a General Release, and by this Deed, bearing Date 20th *October* 1714, released to *Perrin* all and all manner of Actions, Cause and Causes of Action, Suits, Bills, Bonds, Writings Obligatory, Debts, Dues, Duties, Accounts, Sum and Sums of Money, Judgments, Executions, Extents, Quarrels, Controversies, Trespasses, Damages and Demands whatsoever.

That on the 22d of *October* 1714, *Perrin* returned to the Rules of the Prison, goes under the Key, to save the Warden, as if in Execution for the said Debts, and for the pretended Damages, by means of the said Escape into *Holland*, altho' that was all settled betwixt *Perrin* and the Warden, and his Right of Seizure and Recaption released also.

That *Perrin* remained in the Fleet until on or about the Second of *April* 1716, but, some short time before, consults the Warden about a new intended Voyage to *Holland*, in order to raise more Money for the said Warden, by applying to Messieurs *Senserf* and Son, his old Correspondents, and by endeavouring to fall into Business, to exercise his Industry, for the Benefit of the Warden, which he so effectually brought about, that he remitted to the said Warden near 1000*l.* which came safe to the Warden's Hands.

That *Huggins*, to prevent his being sued, as he pretended, immediately proposed to the Commissioners of the Customs, that they would be pleased to say That the Crown had gained One Thousand Pounds more than if *Perrin* had not escaped; and after he had prevailed with the Solicitor so to do, they drew up a Report, and transmitted it to the Treasury, Signed by the Commissioners of the Customs.

THE AFFIDAVIT

Mentioned in the said

C A S E

JOHNN HUGGINS, *Warden of the Fleet, maketh Oath,*
That Thomas Perrin of London, Merchant, shall Peace-
ably and Quietly, without Interruption or Molestation,
Hold and Enjoy to himself the Liberty of the Rules of the
Prison of the Fleet, without any future Charge whatsoever,
and this Deponent will not permit or suffer the said Thomas
Perrin, under any Pretence whatsoever (against his Will) to
be Confined within the Walls of the said Prison, nor shall the
said Thomas Perrin be removed to any other Prison, by or
thro' the Means or Procurement of this Deponent, by Habeas
Corpus or otherwise, to any of his Majesty's Prison or Pri-
sons, Place or Places of Confinement, so far as to the utmost
of his this Deponent's Power can be prevented; and in Case a
Habeas Corpus be brought to Effect, so as that the said Tho-
mas Perrin should be removed, he, this Deponent, will use his
utmost Endeavours to bring him back to the Rules of the Fleet,
that he may Enjoy the Liberty aforesaid, or to procure for
him the Liberty of the Rules at this Deponent's own proper
Charge and Expence, and so to be continued to him under Mo-
ses Cooke, Esq, the present Marshal, or any other Marshal,
so long as the said Thomas Perrin shall continue to be a Pri-
soner, so as that he may either at the Kings Bench or Fleet-Pri-
sons enjoy the Liberty proposed, notwithstanding any Action or
Actions, Judgment or Judgments, Declaration or Declara-
tions, Extent or Extents, by means of his late or present Mis-
fortunes, or any thing that may or shall happen to or arise
therefrom: And that in Case this Deponent should sell, assign,
 or

or set over the Wardenship or Property in the Fleet, That then and in such Case, he this Deponent will, at his own Cost, use his Endeavours, so that he shall enjoy the Liberty aforesaid, and upon his single Security, and that he shall have Day-Rules to transact his Affairs in Term Time, as often as his Occasions require, without any Expence to him the said Thomas Perrin; and in Case of his consenting to be within the Walls of the Prison, shall be let into the Rules again whenever he shall require the same, by writing to Mr. Samuel Blunt, or any other Person immediately.

*Jur. 22. Oct. 1710.
Coram Will. Rogers.*

John Huggins.

COPY

**COPY of his General Release, upon
Stamp Paper, in Form as followeth, viz.**

K NOW all Men by these Presents, That I John Huggins, of the Parish of St. Martins in the Fields, in the County of Middlesex, Esq; have remised, released and for ever quit Claim unto Thomas Perrin of London, Merchant, his Heirs, Executors and Administrators, all and all manner of Actions, Cause and Causes of Actions, Suits, Bills, Bonds, Writings Obligatory, Debts, Dues, Duties, Accompts, Sum or Sums of Money, Judgments, Executions, Extents, Quarrels, Controversies, Trespasses, Damages and Demands whatsoever, both in Law and Equity, or otherwise howsoever, which against the said Thomas Perrin I ever had, and which I, my Heirs, Executors and Administrators shall or may have, Claim, Challenge or Demand, for or by Reason, or Means of any Matter, Cause or Thing whatsoever, from the beginning of the World, unto the Day of the Date of these Presents. In Witness whereof I have hereunto set my Hand and Seal the 20th Day of October, in the First Year of the Reign of Our Sovereign Lord GEORGE, by the Grace of God, of Great-Britain, France and Ireland King, Defender of the Faith &c. Annoq; Dom. 1714.

Sealed and Delivered
in the Presence of
Sam. Blunt.
Benja. Robinson.

John Huggins.

THE Resolutions of the Committee being severally read a Second time, were, upon the Question severally put thereupon, agreed unto by the House, and are as follow, viz.

Resolved,

That *William Acton*, Clerk of the Prison of the *Marshalsea*, and Farmer of the same Goal, and the Profits thereof, by Lease from Mr. *John Darby*, the Keeper of the said Prison, hath been guilty of many High Crimes and Misdemeanors in the Execution of his Office; and hath Arbitrarily and Unlawfully loaded with Irons, Tortured and Destroyed, in the most Inhumane, Cruel and Barbarous manner, Prisoners for Debt, under his Care, in high Violation and Contempt of the Laws of this Kingdom.

Resolved,

That the Charities given by well-disposed Persons for the Relief and Sustainance of the Poor Debtors confined in the said Prison of the *Marshalsea*, are notoriously and scandalously misapplied; and that the Keeper of the said Prison, and his Dependants and Agents, instead of distributing the said Charities to the said Poor Debtors, have most unjustifiably possessed themselves thereof, and wickedly perverted the same to their own Uses, to the great Fraud and Oppression of the said Poor Prisoners in general, and to the Starving many, who have perished in the said Prison for want thereof.

Resolved,

That Mr. *John Darby*, Keeper of the said Prison of the *Marshalsea*, having, contrary to and in defiance of the Law, lett to Farm his said Goal and Office, and the Profits thereof, unto the said *William Acton*, and having grossly neglected his Duty in not preventing or remedying the said Inhumanities, Cruelties, Frauds and Abuses, is guilty of a High Misdemeanor in his Office, and a Notorious Breach of his Trust, in Contempt of the Law, and to the great Oppression and Ruin of many of His Majesty's Subjects.

Mr. *Oglethorpe* acquainted the House, That he was directed by the Committee to Move, That an humble Address be presented to His Majesty, That he will be graciously pleased to direct his Attorney-General forthwith to prosecute, in the most effectual manner, the said *William Acton* and *John Darby*, for their said Crimes and Misdemeanors.

And Mr. *Oglethorpe* Moved the House accordingly.

Resolved, Nemine Contradicente,

That an humble Address be presented to his Majesty, That he will be graciously pleased to direct his Attorney-General forthwith to prosecute, in the most effectual manner, the said *William Acton* and *John Darby*, for their said Crimes and Misdemeanors.

Ordered,

That the said Address be presented to His Majesty by such Members of this House as are of His Majesty's most Honourable Privy-Council.

Ordered,

Ordered.

That the Report from the Committee appointed to Enquire into the State of the Goals of this Kingdom (this Day made to the House) in relation to the State of the Prison of the Court of *Marsbalsea*, and of the King's Palace Court of *Westminster*; and also of a farther Progress which the Committee had made in their Enquiry into the State of the *Fleet* Prison, with the Appendixes, and the Resolution of the House thereupon, be Printed, and that Mr. *Speaker* do appoint the Printing thereof; and that no Person, but such as he shall appoint, do presume to print the same.

except of the Laws of this Kingdom.
 not, Prisoners for Debt, under his Care; in high Violation, and Con-
 tured and Destroyed, in the most infamous, Cruel and Barbarous man-
 ner; and hath Arbitrarily and Unlawfully loaded with Taxes, Tolls,
 of many High Crimes and Misdemeanours in the Execution of his Of-
 Mr. John Davis, the Keeper of the said Prison, hath been guilty
 Farmer of the same Goal, and the Prison thereof, by Lease from
 That William Aches, Clerk of the Prison of the Archbishop, and
 Resolved.

That the Charities given by well-disposed Persons for the Relief and
 Sustainance of the Poor Debtors contained in the said Petition of
 Petitioners are notoriously and scandalously misapplied; and that the
 Report of the said Petition, and his Dependants and Agents, relative
 to distributing the said Charities to the said Poor Debtors, have most
 unjustifiably possessed themselves thereof, and wickedly perverted
 same to their own Uses, to the great Fraud and Oppression of the
 Poor Debtors in general, and to the starving many who have be-
 lieved in the said Petition for want thereof.

21. M. 1. 5

F I N I S.

And Mr. Oglethorpe Moved the House

Ordered,
John Dwyer, for their said Crimes and Misdemeanors,
prosecuted in the most effectual manner, to direct the
the graciously pleased to direct the
That an humble Address be presented to

That the said Address be presented to the
 members of this House as one of the Standing Orders of the
 Council

That the Report from the Committee appointed to Enquire into the State of the Courts of this Kingdom (now made to the House) in relation to the State of the Court of Chancery, and of the King's Bench; and also of a further Part of which the Committee had made to their Faculty into the State of the said Bench, with the Bill thereon presented to the House thereof, be printed by the Stationer and Printers of the Printing Office, and that up or upon the Bill printed so pictures to print the same.

RECEIVED
AT THE CLERK'S OFFICE
OF THE HOUSE OF COMMONS
JANUARY 10 1867

